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TN REGULATORY AUTHORITY
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October 10, 2002

Mr. David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243

RE: Petition of Tennessee UNE-P Coalition to Open a Contested Case
Proceeding to Declare Switching an Unrestricted Unbundled Network
Element, Docket No. 02-00207

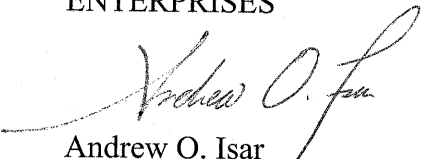
Dear Mr. Waddell:

Enclosed are an original and thirteen (13) copies of the *Response of the Association of Communications Enterprises to BellSouth Telecommunications, Inc.'s First Set of Discovery Requests to ASCENT*, in the above-referenced matter as ordered by the Hearing Officer.

Questions may be addressed to the undersigned.

Sincerely,

ASSOCIATION OF COMMUNICATIONS
ENTERPRISES


Andrew O. Isar
Director – State Affairs

cc: Service List

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re: *Petition of Tennessee UNE-P Coalition to Open a Contested Case Proceeding to Declare an Unrestricted Unbundled Network Element*

Docket No. 02-00207

**RESPONSE OF THE ASSOCIATION OF COMMUNICATIONS ENTERPRISES TO
BELLSOUTH TELECOMMUNICATIONS, INC.'S FIRST SET OF DISCOVERY
REQUESTS**

Pursuant to the Tennessee Regulatory Authority's June 28, 2002 *Initial Order Resolving Discovery Disputes* directing the Association of Communications Enterprises ("ASCENT") to respond to BellSouth Telecommunications, Inc.'s Discovery Requests Nos. 1, 7, 12, and 13¹; and the Authority's October 2, 2002 *Notice of Filing* in the above-captioned proceeding, ASCENT, on behalf of its members, hereby responds to portions of BellSouth's May 24, 2002 first set of discovery requests to ASCENT, as ordered by the Hearing Officer.

Request No. 1

Please identify all entities that are members of ASCENT and state, for each, whether they are certified to provide telecommunications services in Tennessee.

Objection: ASCENT respectfully renews its original objection to this discovery request because it is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. ASCENT also objects to this request on the grounds that it is overly broad, unduly burdensome, and oppressive.

Response: Without waiver of the foregoing objection, ASCENT responds as follows: ASCENT's membership list is attached.

Witness: Andrew Isar

¹ The Order provides:

[t]he Association of Communications Enterprises shall respond to discovery request number 1 to the extent that it asks the Association of Communications Enterprises to identify its members, request numbers 7 and 12 to the extent that each inquires as to the Association of Communications Enterprises' contentions in this docket and requests the facts and documents supporting those contentions; and request number 13 to the extent that it relates to request numbers 1, 7, and 12.

Request No. 7

Is it your contention that the Unbundled Local Switching Exemption has prevented any of your members from competing or otherwise made it more difficult for your members to compete in the local exchange market in Tennessee? If the answer is in the affirmative, please identify the specific members for which the answer is in the affirmative and state all facts and identify all documents that support this contention.

Objection: ASCENT respectfully renews its objection to this discovery request because it is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Additionally, ASCENT objects to this request on the grounds that it seeks documents created by persons or entities other than ASCENT, that are not ASCENT employees or agents, that do not act at ASCENT's direction or on ASCENT's behalf, and who may not be parties to this proceeding. This request is improperly directed to an industry association that does not have access to the requested information from its members. ASCENT further states membership in the organization is voluntary, and its members are not bound to provide to ASCENT the requested information. ASCENT consequently also objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive, and seeks information that is available from other sources.

Response: Without waiver of the foregoing objection, ASCENT responds as follows:

Unbundled Local Switching (ULS) is a network element that BellSouth is obligated to provide pursuant to Section 251(c)(3) of the 1996 Telecommunications Act. ASCENT maintains that BellSouth assumes a statutory obligation to provide ULS as a network element in combination with other network elements under Total Element Long Run Incremental Cost (TELRIC) pricing, as upheld by the United States Supreme Court in *Verizon et. al., v. FCC*, 122 S.Ct. 1646 (2002). BellSouth's compliance with statutory obligations for network unbundling exists without regard to the needs of individual companies, including ASCENT members.

Witness: Andrew Isar

Request No. 12

Is it your contention that any of your members' ability to provide local exchange service to customers in Tennessee via such member's own switch has been impeded by a lack of collocation space in BellSouth central offices? If the answer is in the affirmative, please identify all such members specifically and state all facts and identify all documents that support this contention.

Objection: ASCENT respectfully renews its objection to this discovery request because it is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Additionally, ASCENT objects to this request on the grounds that it seeks documents created by persons or entities other than ASCENT, that are not ASCENT employees or agents, that do not act at ASCENT's direction or on ASCENT's behalf, and who may not be parties to this proceeding. This request is improperly directed to an industry association that does not have access to the requested information from its members. ASCENT further states membership in the organization is voluntary, and its members are not bound to provide to ASCENT the requested information. ASCENT consequently also objects to this request on the grounds that it is overly broad, unduly burdensome, oppressive, and seeks information that is available from other sources.

Response: Without waiver of the foregoing objection, ASCENT responds as follows:

Unbundled Local Switching (ULS) is a network element that BellSouth is obligated to provide pursuant to Section 251(c)(3) of the 1996 Telecommunications Act. ASCENT maintains that BellSouth assumes a statutory obligation to provide ULS as a network element in combination with other network elements under Total Element Long Run Incremental Cost (TELRIC) pricing, as upheld by the United States Supreme Court in *Verizon et. al., v. FCC*, 122 S.Ct. 1646 (2002). BellSouth's compliance with statutory obligations for network unbundling exists without regard to the needs of individual companies, including ASCENT members.

Witness: Andrew Isar

Request No. 13

Please produce any and all documents referred to or identified in response to BellSouth's Discovery Request.

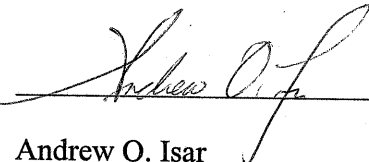
Response: Please see response to Request No. 1.

Witness: Andrew Isar

Respectfully submitted this 10th day of October, 2002

ASSOCIATION OF COMMUNICATIONS
ENTERPRISES

By: _____


Andrew O. Isar
Director – State Affairs
7901 Skansie Avenue, Suite 240
Gig Harbor, WA 98335
Tel. 253.851.6700
Fax 253.851.6474

ASCENT Membership List

October 7, 2002

1-800-Reconex Inc.	BellSouth
9278 Communications, Inc.	BellSouth Long Distance
Abiliti Solutions	Billing Concepts
ABS-CBN Telecom	Billsoft, Inc.
Access General Inc.	Bluespring Software
Access Integrated Networks	Boston Communications Group, Inc.
Access One, Inc.	Bridgecom International, LLC
Access Point Inc.	Broad Margin
ACI Billing Services, Inc.	BroadWing
ACT Teleconferencing	Brown Brothers Harriman & Co.
Advanced Convergence Technologies	BTS
Advantage Telcom	C3 Networks
Alliance Group Services, Inc.	Cable & Wireless Global
Alltel	Caltech International Telecom
ALLTEL Information Services (subsidiary of ALLTEL)	CALTEL
ALTS	Cambrian Communications
AmericaEs Network	CanTalk (Canada) Inc.
American Fiber Systems, Inc.	Cantor Fitzgerald/eSpeed
American Long Lines	Carmel Solutions, Inc.
American Phone Services	Carrier1 AG
American Telecommunications Systems, Inc.	CarrierComCorporation
American Telesis	Carter, Ledyard & Milburn
AmeriMex Communications Corp.	CCC GlobalCom Corporation
AMI Communications, Inc.	CCG Consulting, Inc.
AnTel Telecom, Inc.	CCMI/Salestar
APAC	Cellnet Communications
Aptis	CIMCO Communications, Inc.
Aquila Broadband Services	CityNet Telecommunications, Inc.
Arbinet-thexchange	Clarent Corporation
Arion	CloseCall America, Inc.
Arsenal Digital Solutions Worldwide	CMC Telecom Inc.
Association of Directory Publishers	CNM Network, Inc.
AT&T	Cognigen Networks, Inc.
AT&T Wireless Services	Colocation & Hosting Association
ATL Telecom Services	Communication Technologies Inc.
Atlantax Systems, Inc.	ComoreTel
Atlantic - ACM	CompTel
ATSI Communications, Inc.	Computer Intelligence2 Inc.
BAK Communications LLC	Computer Voice Systems
BCE Nexxia	ComTec, Inc.
	Concretio.com
	Conference Plus, Inc.

Connexn Technologies
Consumer Cellular, Inc.
Convergent Network
Convergys
Corporation Guarantee & Trust
Covista Communications
CP Telcom
CRG West
CTI Group
Custom Network Solutions
CustomCall Data Systems, Inc.
Dakota Carrier Services
Dancris Telecom Llc.
Data Net Systems L.L.C.
DATAMATX
DCA
Dialmex
DMR Consulting
Dodson Group Company
Dow Jones Newswires
Eagle Teleconferencing
Early, Lennon, Peters & Crocker P.L.C.
Easton Telecom Svcs. Inc.
ECI Conference Call Services
eCollaboration Corp.
Edco
Edison Carrier Solutions
El Paso Global Networks
Electronic Data Systems
Elephant Talk, Inc.
eMeritus Communications
ENA Inc.
Enavis Networks
Energis Inc.
ePhone Telecom, Inc.
Equinox Information Systems
Ernst & Young Corporate Finance LLC
Esau, Ted (Ernst & Young LLP)
EUR Systems
Eureka Broadband Corp.
European Competitive Tele. Assn.
Excellular Incorporated
eXpeTel Communications
ezTel Network Services, LLC
Fast Phones Inc.
Fat Pipe Magazine

FiberNet Telecom Group Inc.
Fibertech Networks, LLC
First Communications
FLAG Telecom
Focal Communications
Focus Technology Consulting
Forval International Telecom
FPL FiberNet
Fried Consulting, Inc.
Frontline Communications International, Inc.
FSSI
Fuegotech, Inc.
Fusion Telecommunications Int'l. Inc. GE
Capital Communications Services General Communication, Inc.
Genesis Communications Int'l Inc.
Genesys Conferencing
GH Associates, Inc
Global Crossing
Global Document Solutions Corporation
Global Systems Telecom, Inc.
GlobalNet International, Inc.
Goodin, MacBride, Squeri, Ritchie & Day
Grande Communications
Granite Telecommunications LLC
Group Telecom
Hargray Long Distance
Heritage Communications Corp.
HickoryTech
Homisco
Hunter Communications Law Group
iBasis
ICG Communications Inc.
ICORE, Inc.
ICT Group, Inc.
IDT Corp.
ILD Telecommunications, Inc.
Illuminet
Imagitel
IN Solutions Systems Inc
inatel
Info Directions, Inc.
InfoHighway Communications Corp.
Institute of Telecom Resellers in EMEA

Integrated Communication Solutions, LLC
Integretel, Inc.
Intele-Card News
InterCall
International Prepaid Communications Association
International Telecom
Interoute
Inventive Technology Ltd.
Ionex Telecommunications, Inc.
Iowa Network Services, Inc.
ISN Communications
ITC, Inc.
"TTS" Network Services
ITXC Corp.
Jupiter Telecommunications, Inc.
Ken Kader, Consultant
KMC Telecom
Language Line Services
Lightwave Consulting Group
Lightyear
Line Systems, Inc.
Lipman, Andrew (Swidler, Berlin, Shereff, Friedman)
Listing Services Solutions, Inc.
Locus Telecommunications Inc.
Looking Glass Networks, Inc.
Lowe, Todd (Visiology)
Lynx Technologies
Martin Group
MCG Capital Corporation
Metro Teleconnect Companies, Inc.
Microtech-tel
Mid-Maine Communications
Midwest Telecom of America, Inc.
Millennium 3 Communications
Miller Isar, Inc.
NCIC Operator Services
net.com
NetValve USA
Network Enhanced Technologies, Inc.
Network Plus, Inc.
NetworkIP
NeuStar
New Edge Networks
NewTel Holdings LLC

Norlight Telecommunications
Norstan Network Services Inc.
Northern Telephone & Data Corp.
Northridge Group, Inc. The Northstar Communications, Inc.
NOS Communications
NOW Communications, Inc.
Nowalsky, Bronston & Gothard, L.L.P.
NTS Communications
Nuera
NUI Telecom
OneStar
ONSEnet America, Inc.
OnStar, Division of General Motors OPEX Communications Orion Telecommunications Corp.
OSG Billing Services
Pacific Centrex Services
PaeTec Communications, Inc.
Paratel, Inc.
PCCW (US) Inc.
Peak Communications, Inc.
PhoenixSoft, Inc.
PLDT (US) Ltd.
Plexnet Communications
Power Net Global Communications
Powercom Corporation
PPL Telecom
Preferred Long Distance
Profitec, Inc.
Progress Telecom
Progressive Concepts, Inc.
Qualution Systems Inc
Qwest Communications
RACO Group of Companies, The
Raindance Communications
Reduced Rate Long Distance
Richards, Glenn (Shaw Pittman LLP)
RMH
Samsung Networks America, Inc.
Sandy Beaches Software
SAVVIS Communications
SBC Communications
Siemens Information Communications Network
Simmons & Simmons

Simplified
Single Source, Inc.
Sirius Telecom, Inc.
SNET
Sonera
SpaceLogix
Spectel
Sprint
Steleus Inc.
SunGard Mailing Services
Superior Technologies
SWCTA
Swisscom North America
Switch and Data Facilities Company
T D Madison
T4 Systems
TalkAmerica
Taqua, Inc.
TARGUSinfo
TCAST Communications, Inc.
TCO Network Inc.
TDI Communications, Inc.
Technologies Management, Inc.
Tekelec
Telcom Products, Int'l.
Telcorp, Ltd.
Telecare, Inc.
Telecom Compliance Services, Inc.
Telecommunications on Demand, Inc.
Teledata Group c/o Schooley Caldwell
Associates Telegration, Inc.
Telenor Global Services AS
Telia North America, Inc.
Telpro Incorporated
Telstar International Inc.
Telstra Inc.
Teraco, Inc.
The Hawkeye Group
The KDW Group
Third Party Verification, Inc.
TMC Communications
TMNG, The Management Network Group
Tracfone Wireless Inc.
Transaction Network Services (TNS)
Transcom Communications
TS Solutions, Inc.

TyCo Telecommunications
United Telecom Council
Uni-Tel Communications Group, Inc.
Univance
Universal Access Inc.
Universal Broadband Communications
USOL, Inc.
Vartec Telecom, Inc.
Velocita
Venture Telecom, LLC
Verestar Networks, Inc.
Verizon
Verizon Avenue
Verizon Wireless
Vibrant Solutions, Inc.
Virgo Publishing Inc.
Virtual Back Office Software, Inc.
Vista Telecom Group
VLM International, Inc.
Voicecom
VoiceLog LLC
Voiceware Systems
Walker, Alexander (Management Recruiters
of Stamford)
WAN Technologies, Inc.
WaveCrest Communications
Williams Communications
Wireless Pathways Inc.
Working Assets Funding Service Worldcom
Wireless Worldnet Telecommunications Inc.
WorldxChange Corporation
Xila Communications, LLC
XTel Communications, Inc.
Z-Tel Communications

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Nashville, Tennessee

In Re: *Petition of Tennessee UNE-P Coalition to Open a Contested Case Proceeding to Declare
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BELL SOUTH TELECOMMUNICATIONS, INC.'S FIRST SET OF DISCOVERY
REQUESTS**

CERTIFICATE OF SERVICE

I hereby certify that on this day, October 10, 2002, I served the foregoing *Response of the Association of Communications Enterprises to BellSouth Telecommunications, Inc.'s First Set of Discovery Requests*, postage prepaid, on the following known parties.

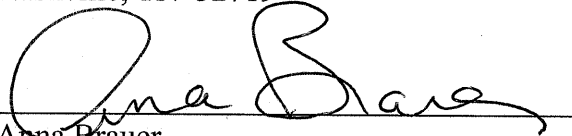
Via Overnight Mail:

Joelle Phillips, Esq.
BellSouth Telecommunications, Inc.
333 Commerce Street
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Nashville, TN 37201-330
Facsimile: 615.214.7406

Via First Class Mail:

Henry Walker, Esq.
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P. O. Box 198062
Nashville, TN 37219-8062

Charles B. Welch, Esq.
Farris, Mathews, et al.
618 Church Street, #300
Nashville, TN 32719


Anna Brauer